REMARKS

Claims 1-11 remain pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

The Examiner rejected each of the pending claims under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,470,346 to Morwood (the "Morwood reference") in view of U.S. Patent No. 6,769,019 to Ferguson (the "Ferguson reference"). *Office Action*, ¶¶ 3 - 9, pages 2 - 4. As the Examiner correctly points out, "Morwood does not explicitly disclose that the manager task kills the client task when a current one of the client processes is not completed within a predetermined time period." *Id.* at ¶ 5, page 3. However, the Examiner uses the Ferguson reference to cure this defect in the Morwood reference.

The Ferguson reference discloses a method for maximizing the use of available bandwidth while browsing the World Wide Web. *Ferguson reference*, col. 2, line 61 - col. 3, line 20. Users may pre-select the Web pages they wish to view while viewing other content. *Id.* A schedule of bandwidth priority is created, and when the connection between the client and the server is idle, the pre-selected hyperlinks are downloaded and stored in a cache on the user's hard drive. *Id.* The system continually checks for user requests of higher priority, and if such a request is made the system will suspend the current download until the higher priority request has been completed. *Id.*, col. 13, lines 18 - 38. If the cache on the user's hard drive is full, the system may accept an additional request to increase the size of the cache, or to delete previous requests to download information. *Id.*, col. 38, lines 46 - 52.

In contrast, claim 1 of the present invention recites "a manager task running at a higher priority than the client task, the manager task queuing the client processes into the client

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task in priority order, wherein the manager task kills the client task when a current one of the client processes is not completed *within a predetermined time period.*" The recitation of claim 1 makes it clear that the manager tasks kills the client task when the client process is not completed within the predetermined time period.

The present application explains that the killing of the client task is performed internally by the manager task. *Specification,* page 5, lines 15 - 28. This is done to ensure that the processor is continually available. *Id.,* page 5, lines 11 - 16. Should an error be encountered in the execution of a client task, the processor will not be caught in a continuous loop attempting to execute the task. *Id.,* page 5, lines 15 - 28. Rather, the processor will restart the client task if the client process is not completed within a predetermined period of time, thereby killing the errant client process. *Id.* Thus, the terminated client process is no longer relevant to the restarted task.

The Ferguson reference merely teaches that the user may kill a request to download information from the internet if the cache on the user's hardware becomes full. The command to kill the request is unrelated to time elapsed in attempting to execute the task, as in the present application. The Ferguson reference mentions that the time interval between the last download and the current request may be used to determine the necessity of updating the content from the Web server. *Ferguson reference,* col. 13, line 18 - col. 14, line 10. However, this use is unrelated to the termination of processes in execution. There is no teaching or suggestion in the Ferguson reference that the task is killed if it is not executed within a "predetermined time period."

Accordingly, the applicants respectfully submit that the Morwood reference and

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the Ferguson reference, either alone or in combination, do not teach or suggest "a manager task running at a higher priority than the client task, the manager task queuing the client processes into the client task in priority order, *wherein the manager task kills the client task when a current one of the client processes is not completed within a predetermined time period*" as recited in claim 1. Thus, the applicants respectfully request the Examiner to withdraw the rejection of claim 1 and all claims depending therefrom (claims 2-5).

Claims 6 and 11 recite "killing execution of the client task by a manager task executing at a priority higher than that of the client task when the first client process is not completed *within a predetermined time period.*" Accordingly, for the same reasons as described above with reference to claim 1, it is respectfully submitted that claims 6 and 11 and all claims depending therefrom (claims 7-10) are also allowable.

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CONCLUSION

In view of the remarks submitted above, the applicants respectfully submit that the

present case is in condition for allowance. All issues raised by the Examiner have been

addressed, and a favorable action on the merits is thus earnestly requested.

Respectfully submitted,

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